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TAGS: ELAB PINT DA US

SUBJ: HOPE COMPUTER CASE- PRECEDENT-SETTING

LABOR CONFLICT INVOLVES AMERICAN FIRM

SUMMARY: TRIAL OF NINE UNION LEADERS CHARGED WITH ILLEGALLY
BLOCKADING AMERICAN COMPUTER FIRM IN HADSUND HAS ATTRACTED
NATION-WIDE INTEREST. TRIAL COMMENCED AUGUST 6 WITH DECISION
EXPECTED WEEK OF AUGUST 20-24. ALTHOUGH BLOCKADE ACTIONS WILL
PROBABLY BE JUDGED ILLEGAL, TRADE UNION MOVEMENT HAS BEEN FORCED TO
GIVE GENERAL SUPPORT TO INDICTED OFFICIALS BECAUSE CASE IS
SEEN AS EXAMPLE OF BROADER PROBLEM - THE FEAR THAT ARRIVAL IN
DENMARK OF FOREIGN WORKERS AND FOREIGN COMPANIES FOLLOWING COUN-
TRY'S ACCESSION TO COMMON MARKET WILL DISRUPT OR ERODE TRADITIONAL
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DANISH SYSTEM OF LABOR MANAGEMENT RELATIONS. CASE STIMULATING SOME

ANTI-AMERICAN AND ANTI-MULTINATIONAL CORPORATION SENTIMENT. END
SUMMARY

1. TRIAL OF SEVEN LOCAL UNION OFFICIALS AND TWO OTHER PERSONS FOR ILLEGALLY BLOCKADING HOPE COMPUTER CORPORATION AT HADSUND, JUTLAND, JANUARY 10-11, COMMENCED AUGUST 6. SIMULTANEOUSLY, 1500 TO 2000 DEMONSTRATORS REPRESENTING TRADE UNION ORGANIZATIONS THROUGHOUT JUTLAND MARCHED TO COURTHOUSE TO PROTEST INDICTMENTS BEING RAISED AGAINST THE NINE. TRIAL HAS AROUSED FRONT-PAGE INTEREST AND IS EMBARRASSMENT BOTH TO DANISH TRADE UNION MOVEMENT AND SOCIAL DEMOCRATIC GOVT. TRIAL EXPECTED TO LAST TWO WEEKS.

2. LEGAL ISSUE EMERGING FROM FIRST WEEK'S TESTIMONY IS WHETHER BLOCKADE INTENTIONALLY AND EFFECTIVELY PREVENTED COMPANY'S EMPLOYEES AND VISITORS FROM LEAVING PREMISES DURING TWELVE-HOUR BLOCKADE. ALTHOUGH DEFENSE MAINTAINS THIS WAS NOT INTENTION, TV FILM STRIP AND TESTIMONY OF EMPLOYEES IS EXPECTED TO CONFIRM THAT VIOLATION OF CRIMINAL CODE'S PARA 261 (ILLEGAL DEPRIVATION OF A PERSON'S FREEDOM OF MOVEMENT) DID OCCUR. ALTHOUGH CONVICTION COULD CARRY PRISON SENTENCE, PROSECUTOR HAS STATED THAT HE INTENDS ONLY TO SEEK IMPOSITION OF FINES.

3. IN ADDITION TO LEGAL QUESTION, HOWEVER, CASE INVOLVES IMPORTANT LABOR MANAGEMENT RELATIONS ISSUE. FOLLOWING DANISH ACCESSION TO EC LAST JANUARY 1, DANISH TRADE UNION FEDERATION (LO) HAS BEEN CONCERNED THAT FOREIGN COMPANIES TAKING OVER DANISH FIRMS OR ESTABLISHING NEW COMPANIES IN DENMARK WOULD SEEK TO EVADE EXTENSIVE OBLIGATIONS TRADITIONAL IN DANISH LABOR MANAGEMENT RELATIONS. MOREOVER, LO FEARS THAT FOREIGN "GUEST" WORKERS MIGHT PROVIDE NON-ORGANIZED LABOR POOL HAS BEEN IMPORTANT FACTOR BEHIND GOVT'S YEAR-LONG FREEZE ON IMPORTATION OF GUEST WORKERS. RECENT ATTEMPT BY GERMAN FIRM TO IMPORT GERMAN LABORERS TO BREAK STRIKE BY DANISH UNION HAS STOKED THAT FEAR. DESPITE POSSIBLE ILLEGALITY OF BLOCKADE, MORE FUNDAMENTAL AND THUS FAR LEGALLY UNCLEAR QUESTION OF HOW FAR UNIONS CAN GO IN PRESSURING FIRMS TO ACCEPT UNION ORGANIZATION (DASF) LEADERSHIP, AS WELL AS DANISH LABOR CONFEDERATION (LO) LEADERSHIP, TO GIVE GENERAL IF RELUCTANT SUPPORT TO THE INDICTED OFFICIALS. DEMONSTRATION AUGUST 6 INCLUDED REPRESENTATIVES FROM LABOR UNIONS AND LABOR ORGANIZATIONS ALL OVER DENMARK AND LO CHAIRMAN THOMAS NIELSEN FELT COMPELLED TO ATTEND DEMONSTRATION AND LIMITED OFFICIAL USE

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TRIAL, EVEN THOUGH HE DID SO IN EQUIVOCAL ROLE OF "OBSERVER". ADDITIONAL DELICATE ASPECT DERIVES FROM FACT THAT COMMUNIST AND LEFT-SOCIALIST ELEMENTS WITHIN DANISH LABOR MOVEMENT HAVE IDENTIFIED THEMSELVES STRONGLY WITH CAUSE OF BLOCKADE LEADERS. ONE SPEAKER AT AUGUST 6 DEMONSTRATION QUESTIONED SINCERITY OF LO SUPPORT FOR THE ACCUSED AND CHARGED PRIME MINISTER ANKER JORGENSEN WITH BEING VASSAL OF BOURGEOISE INTERESTS BECAUSE HE PERMITTED CASE TO COME TO TRIAL. THIS LEFT-WING LABOR ELEMENT HAS THREATENED WIDE

-SPREAD LABOR CONFLICT IF UNION OFFICIALS ARE CONVICTED.

4. DESPITE INSIGNIFICANT SIZE OF HOPE COMPANY (UNDER TWENTY EMPLOYEES), UNCOMPROSMING POSITION TAKEN BY ITS MANAGEMENT IS NOW BECOMING IDENTIFIED WITH "AMERICAN METHODS" OF LABOR MANAGEMENT RELATIONS. FLAMBOYANT STYLE OF RIRM'S DANISH DIRECTOR T. BARSOE-CARNFELDT, WHO, CONTRARY TO REFTEL HAD NOT BEEN REMOVED BY AMERICAN PARENT COMPANY, HAS MADE IT EASY FOR LEFT-WING PRESS TO IDENTIFY HIS PERSONAL POLICY WITH "AMERICAN METHODS". (HE HAS AMERICAN FLAG PROMINENTLY DISPLAYED IN LOBBY OF FIRM AND USED SO MUCH AMERICAN BUSINESS SLANG IN HIS TESTIMONY THAT JUDGE REMINDED HIM THAT DANISH WAS LANGUAGE OF THE COURT.) UNDER PRESSURE FROM DEFENSE ATTORNEY AUGUST 6, HOWEVER, CARNFELDT ADMITTED THAT REFUSAL TO SIGN LABOR CONTRACT WAS MORE HIS POLICY THAN THAT OF FIRM'S AMERICAN PRESIDENT, HENRY HOPE.

5. COMMENTS: SIGNIFICANT ASPECT OF THIS CASE IS SUCCESS LEFT-WING ELEMENTS IN DANISH TRADE UNION MOVEMENT HAVE HAD IN FORCING LO AND DASF LEADERSHIP TO SUPPORT THEIR DUBIOUS ACTION. RANK AND FILE SYMPATHY HAS BEEN MOBILIZED ON SIDE OF NINE ACCUSED, AND ATMOSPHERE AT HADSUND DEMONSTRATION AUGUST 6 WAS REMINISCENT OF 1931 AADALEN INCIDENT IN SWEDEN. WITH REGARDS TO ANTI-AMERICAN OVERTONES, WE CAN HOPE THAT DEFENSE COUNSEL SUCCEEDS IN FASTENING RESPONSIBILITY FOR ANTI-UNION POLICY ON CONTROVERSIAL DANISH DIRECTOR.
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